

REMARKS**I. STATUS OF THE PENDING CLAIMS**

Claims 11-22, 25-31, 33, 34 and 36-39 are pending in this application.

Claims 11-22, 25-31, 33, 34 and 36-39 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent 5,411,686 to Hata ("Hata"). Claims 11-13, 16-23, 25-27, 31, 33, 36, 38 are amended herein.

Support for these amendments can be found throughout the application as originally filed, for example, from Figure 1 and paragraphs 19 to 23 of the specification. Specifically, support for "a control process executed by a control unit" in an amendment to claim 11, and other similar amendments are found, for example, in Figure 1 and paragraphs 21 and 23 of the specification ("... on the one hand a control program 10 and on the other hand set point profiles are stored in the control 2." and "...executing of the inputs and/or outputs is performed..."). Support for "acquiring, using at least one sensor, actual values of at least one process variable" in an amendment to claim 11, and other similar amendments can be found, for example, in paragraphs 20 of the specification. Support for "transmitting the acquired actual values of the at least one process variable to the control process and transmitting the acquired actual values from the control process to a monitoring process executed by a computer for monitoring the control process" in an amendment to claim 11, and other similar amendments, are found, for example, in Figure 1 and paragraphs 20 and 21 of the specification. Support for "a system capable of interfacing with an operator" in an amendment to claim 18 and other similar amendments are found, for example, in Figure 1 and paragraph 22 of the specification.

Applicants respectfully submit that no new matter is introduced.

II. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §102(b):

Claims 11-22, 25-31, 33, 34 and 36-39 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent 5,411,686 to Hata (“Hata”).

A rejection of claims as anticipated under 35 U.S.C. §102(b) requires a showing that each and every claim limitation be identically disclosed in the applied reference. If even one claim limitation is not disclosed in the reference, the claim is patentable over the reference.

As stated in the Office Action, “[t]he Examiner defines Hata’s computer system (Fig. 4, #31) as a subset of the greater control system, since the computer system as defined by Hata provides for control functionality.” (Office Action, 2). Examiner’s attempt to “reinterpret” the prior art is in error. It is not provided for by any law or rule. In essence, the Examiner is impermissibly supplementing the art with terminology that appears nowhere in the reference itself. As shown in Figure 4 of Hata, the computer system (31) is clearly distinct from the resin-temperature control unit (33) and the coolant temperature control unit (34). As described by Hata, “[t]he resin-temperature control unit controls the passage of current through the heater in such a manner that the temperature measured by the temperature sensor will become equal to the resin temperature set in the temperature setting unit.” (Hata, col. 9, lns. 33-37). Hata also describes that “[t]he coolant-temperature control unit controls one or both of the temperature and flow rate for the coolant which flows through the cooling channels in such a manner that the temperature measured by the temperature sensor becomes equal to the coolant temperature set in the temperature setting unit.” (Hata, col., 9 lns. 37-43). The portion of Hata relied on in the Office Action states that “[t]he computer system is used in order to execute various arithmetic processing, control processing and the like, described later.” (Hata, col. 9, lns. 23-25). Hata describes later in its specification that the computer system can be used for arithmetic operations

or for processing to obtain a new set temperature value. However, unlike the resin-temperature control unit and the coolant-temperature control unit described in Hata, it appears that the computer system does not change or modify any physical properties (*e.g.*, temperature of resin, amount of heat applied by heater, temperature of coolant, flow rate of coolant, etc.) of the injection-molding process. Therefore, the computer system does not function as a control unit and instead, merely serves as a calculator for the temperature control units, which can control and vary the temperature of certain aspects of the injection molding process.

In the interest of expediting the prosecution of this application, Applicants' have amended the currently pending claims to more particularly point out that the actual values of the at least one process is transmitted from the control to the computer, without conceding to the Examiner's definitions or the basis of the Examiner's rejection. Applicants' independent claim 11, as amended, recites "transmitting the acquired actual values of the at least one process variable to the control process and transmitting the acquired actual values from the control process to a monitoring process executed by a computer for monitoring the control process." Independent claims 18, 25, 31 and 38 recite similar elements.

Nothing in Hata teaches or suggests this claim element. Instead, as can be seen in Figure 4, Hata teaches sensors that are directly connected to the controls (33, 34) and directly connected to the computer system (31). Hata makes no indication that the data retrieved from the sensors by the controls and the computer system would necessarily be the same. Rather, the system in Hata is arranged so that it would be possible for both the controls and the computer system to directly and independently retrieve actual values of the at least one process variable at different times and thus, obtaining distinctly different values from the sensors. Hata does not contemplate indirectly acquiring the actual values by first transmitting to the control process acquired actual

values of the at least one process variable and then transmitting from the control process to the computer the same acquired actual values.

Therefore, Applicants respectfully request that the rejections of claims 11-22, 25-31, 33, 34 and 36-39 be withdrawn.

CONCLUSION

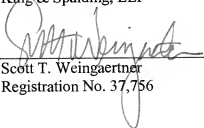
Based on the foregoing remarks, Applicants respectfully request withdrawal of the rejections of claims and allowance of this application. In the event that a telephone conference would assist in the examination of this application, Applicants invite the Examiner to contact the undersigned at the number provided below.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 50-3732, Order No. 03869-105002. In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 50-3732, Order No. 03869-105002.

Respectfully submitted,
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Dated: April 4, 2008

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